



CITY OF MORGAN HILL  
COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

Dennis Kennedy, Mayor  
Hedy L. Chang, Mayor Pro Tempore

Cynthia J. Cook, Council Member  
Steve Tate, Council Member  
Greg Sellers, Council Member

**CITY COUNCIL AGENDA**

**REGULAR MEETING**

**WEDNESDAY, MARCH 3, 1999**

**7:00 PM**

**CALL TO ORDER**

( Mayor Kennedy)

**ROLL CALL ATTENDANCE**

(City Clerk Torrez)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(City Clerk Torrez)

**SILENT INVOCATION**

**PUBLIC SERVICE ANNOUNCEMENT**

Eric Hilding

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS**

Frank Accardi

Morgan Hill Police Department Volunteer

**PRESENTATIONS**

Certificates of Achievement

*Regional Championships - Semifinals*

Live Oak High School Varsity Boys' Soccer Team

Live Oak High School Varsity Girls' Soccer Team

**CITY COUNCIL REPORT**

Council Member Sellers

**CITY MANAGER'S REPORT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**CONSENT CALENDAR:**

The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

1. **RESOLUTION CONSENTING TO THE ISSUANCE BY SOUTH COUNTY REGIONAL WASTEWATER AUTHORITY OF BONDS FOR THE REFINANCING OF THE CITY OF GILROY'S SHARE OF THE REGIONAL WASTEWATER FACILITIES PROJECT**  
**Recommended Action:** Adopt the attached Resolution.
2. **APPROVE PURCHASE OF AN UPGRADED EMERGENCY GENERATOR AT THE POLICE DEPARTMENT**  
**Recommended Action:** Approve a purchase in the amount of \$30,309 for an upgraded emergency generator from Quinn Engine Systems to be installed at the police facility.
3. **CONTRACT AMENDMENT FOR CONTRACT PUBLIC WORKS INSPECTION SERVICES - TESTING ENGINEERS, INC.**  
**Recommended Action:** 1) Approve the attached amendment to our existing agreement with Testing Engineers, Inc. to increase funding for these contract inspection services by \$30,000 and 2) authorize the City Manager to execute the attached contract amendment.
4. **ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR TRACT 8923 (EAST MAIN - CERRO VERDE)**  
**Recommended Action:** 1) Adopt the attached Resolution accepting the subdivision improvements for Tract 8923, commonly known as East Main - Cerro Verde and 2) direct the City Clerk to file a Notice of Completion with the County Recorder's office.
5. **EMERGENCY PUMP AND MOTOR AND CASING REPLACEMENT AT BOYS RANCH 3 WELL**  
**Recommended Action:** 1) Adopt attached Resolution declaring the need for this emergency expenditure and 2) approve expenditure of \$45,000 for emergency purchase and installation of replacement pump, water and casing at Boys Ranch 3 Well.
6. **INTERIM COUNCIL SERVICES AND RECORDS MANAGER SERVICES**  
**Recommended Action:** Approve a second amendment to the agreement for services with The Gaebler Group in the amount of \$16,000 for interim Council Services and Records Management services.
7. **APPROVAL OF SPECIAL MEETING MINUTES OF JANUARY 27, 1999**
8. **APPROVAL OF SPECIAL AND REGULAR MEETING MINUTES OF FEBRUARY 17, 1999**

**LEGALLY NOTICED PUBLIC HEARINGS:**

**9. ZONING AMENDMENT & ANNEXATION APPLICATION ZA-98-13/ANX-98-03: HALF RD.-HANN (APN 728-30-03 & 04)**

**Recommended Action:** Request staff presentation.

The Mayor will open the Public Hearing.

Please limit your remarks to 3 minutes. The Mayor will close the Public Hearing.

Council discussion.

Action - Motion to approve Negative Declaration.

Action- Motion to waive the reading in full of the Prezone Ordinance;

Motion to introduce Prezone Ordinance by title only.

**10. APPLICATION ZA-98-17/DA-98-09: DEL MONTE - MONTARBO (APN 764-20-072)**

**Recommended Action:** Request staff presentation.

The Mayor will open the Public Hearing.

Please limit your remarks to 3 minutes. The Mayor will close the Public Hearing.

Council discussion.

Action - Motion to approve Mitigated Negative Declaration.

Action- Motion to waive the reading in full of the Development Agreement (DA) Ordinance;

Motion to introduce DA Ordinance by title only.

**OTHER BUSINESS:**

**11. APPLICATION SD-98-16: DEL MONTE - MONTARBO (APN 764-20-072)**

**Recommended Action:** Take no action, thereby concurring with the Planning Commission's decision regarding approval of the subdivision map.

**12. RESOLUTION OF COMMITMENT FOR SILICON VALLEY 2010**

**Recommended Action:** Adopt Resolution of Commitment for Silicon Valley 2010.

**13. REQUEST TO APPROVE FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH ANRITSU U.S. HOLDING, INC.**

**Recommended Action:** Approve the First Amendment to the Memorandum of Understanding (MOU) between the City of Morgan Hill and Anritsu U.S. Holding, Inc. (attached), subject to final review and approval by the City Manager and City Attorney. The Executive Director is authorized to make non-substantial modifications to the First Amendment to the MOU.

**14. MID-YEAR BUDGET ANALYSIS**

**Recommended Action:** 1) Approve proposed mid-year adjustments and 2) accept and file mid-year report.

**FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with government code section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

**ADJOURNMENT**

**FUTURE COUNCIL AGENDA ITEMS:**

1. CDBG Funding Recommendations
2. February Finance & Investment Reports
3. Annual Water Quality Report
4. Approve Maintenance Agreement with Caltrans for Dunne/101 Bridge



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17555 Peak Avenue Morgan Hill California 95037

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**PUBLIC COMMENTS ON ITEMS *NOT* APPEARING ON AGENDA**

Following the opening of Council business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's jurisdiction. Should your comments require Council action, your request will be placed on the next appropriate agenda. No Council discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

**PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA**

The Morgan Hill City Council welcomes comments from all individuals on any agenda item being considered by the City Council. Please complete a Speaker Card and present it to the City Clerk. This will assist the Council Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council. However, it is very helpful to the Council if speaker cards are submitted. As your name is called by the Mayor, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council are limited to three minutes. We appreciate your cooperation.

**NOTICE**

**AMERICANS WITH DISABILITIES ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disabilities Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the City Council agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

**NOTICE**

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

**NOTICE**

The time within which judicial review must be sought of the action by the City Council which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.